

COMMUNITY DEVELOPMENT AGENCY

July 29, 2014

7:00 P.M.

The Chair called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Members Stange, Eairleywine, Kuhns, Bixby, Anderson, Navarrette, Hoppe and Johnson present – 8 present, 0 absent.

Moved by Member Bixby, seconded by Member Johnson to approve CDA Resolution No. 2014-002 approving the general redevelopment plan for 23rd and Bell Redevelopment project. Roll call vote: 8 ayes. Motion carried.

Moved by Member Anderson, seconded by Member Kuhns to approve CDA Resolution No. 2014-003 approving the general redevelopment plan for Morningside Business Park project. Roll call vote: 8 ayes. Motion carried.

Moved by Member Eairleywine, seconded by Member Stange to adjourn. Roll call vote: 8 ayes. Meeting adjourned at 7:02 p.m.

CITY COUNCIL MEETING

July 29, 2014

7:00 P.M.

The Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Stange, Bixby, Navarrette, Hoppe, Kuhns, Eairleywine, Anderson and Johnson present – 8 present, 0 absent.

Moved by Council Member Navarrette, seconded by Council Member Anderson to open the Public Hearing on general redevelopment plan for 23rd and Bell Street Redevelopment project. Roll call vote: 8 ayes. Motion carried.

David Mitchell, representing the former Clarion hotel and Fountain Springs property located in the redevelopment area, thanked the Council for moving ahead with the study and the redevelopment plan for the entire 23rd and Bell Street corridor. He further stated that the main reason he was here was the investment group for the Clarion as well as the owners of the Fountain Springs development wanted him to revisit the issue with Yager Road with the Council. He encouraged the Council to begin collaborating to see if at what point and time they could come together with a solid plan for access to the area that they are essentially redeveloping. As part of the redevelopment plan, Mr. Mitchell encouraged the Council to take a serious look at this issue as it dates back to 1972. He stated there is probably no better climate than now because of the willing participants on the Clarion side. Mr. Mitchell stated he could not speak for the mall but had to believe that the mall would have interest in improving that particular corridor as well. He stated there are 80 acres to the north for the Tech Park that needs to have good access if it is going to be developed. He acknowledged his property heads north on Lincoln Street but felt that it is really important to have the Yager Road area worked out in a way where traffic can get in and out. Mr. Mitchell stated it has been on the One and Six for many, many years and that again they are committed to working with the City in any way to make it a reality and that he looks forward to a collaborative effort to get that accomplished.

Mayor Getzschman stated Council, at their retreat in January, wanted, more or less, to make an effort to go down the path to take a hard look at Yager Road (both sides north and south). He stated Yager Road is one of those difficult intersections that poses some life safety issues and that there is a possibility that a section could be closed with access via the current mall parking lot. He further stated that in talking to the mall, they have some interest in trying to improve that intersection but they are probably not going to be a lot of help. The Mayor stated Yager Road is a street in the community that doesn't fit our overall plan. It has no curbs and gutters and there is a storm sewer on one side (an open ditch). He stated the entire road needs to be looked at and that it may not ever be accessed by either property ever again in this process. He further stated that maybe it gets closed and that it might be necessary to look for a different way of getting in and heading north through the parking lot or whatever. The Mayor reiterated it is a very difficult intersection to get in and out of even with the one way only turn, it is still not a safe intersection.

Council Member Bixby stated Council talked at the retreat that it is has been on the One & Six Year Street Plan. She stated the financial commitment is the biggest hang up but that there is not going to be a better time and inquired as to what else as a City Council could be done to ensure that it can move forward if possible.

Mayor Getzschman stated that at the end of the day it's been a thorn and that no Council has ever wanted to tackle it. He stated it wasn't going to be a one million dollar fix but rather a five or six million dollar fix. He compared it to the West Military widening project and stated a way was finally found to get rid of the water and that funds were budgeted for three to five years to get the project done. He further stated he thinks Council needs to make it a priority to at least study it. He suggested a resolution to make known it is a priority to some.

City Attorney Payne stated they could consider a resolution that instructs staff to spend some time looking at it.

Mayor Getzschman requested a resolution be prepared and brought forth to the next meeting.

Council Member Johnson inquired about any Nebraska Department of Roads contribution to the project and that the Department of Roads could take a long time.

Mayor Getzschman stated he thought that was part of it.

Bill Dugan stated he was a very minority interest in the holders of the Yager Street property (ex Clarion) and wanted to encourage the Council to expedite this if at all possible. He stated he sat on the Planning Commission for many years and it was always on the One & Six Year Plan and nothing ever happened even when the opportunities arose. He stated obviously it was a financial issue just as it is today and that is understood. Mr. Dugan stated the group that bought the Yager property did so partially as a preventive measure so that it would be developed properly. He further stated they are all active community members and wanted to see a nice development done in adjunct with the mall. He stated the mall has been very cooperative in talking with them about doing something with the property so for the first time there is cooperative landowners in that area. Mr. Dugan stated he did not think anyone could stand still for an extended period of time without developing the property in some manner which could disrupt the development of that street. He again requested something be done and that now would be the time as it has been sitting as is for over 30 years.

There being no further testimony, moved by Council Member Stange, seconded by Council Member Hoppe to close the public hearing on general redevelopment plan for 23rd and Bell Street Redevelopment project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Eairleywine to approve Resolution No. 2014-137 approving general redevelopment plan for 23rd and Bell Street Redevelopment project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Kuhns, seconded by Council Member Anderson to open the Public Hearing on general redevelopment plan for Morningside Business Park project. Roll call vote: 8 ayes. Motion carried.

There being no testimony, moved by Council Navarrette, seconded by Council Member Stange to close the Public Hearing on general redevelopment plan for Morningside Business Park project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, second by Council Member Bixby to approve Resolution No. 2014-138 approving general redevelopment plan for Morningside Business Park project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Kuhns to approve the consent agenda. Roll call vote: 8 ayes. Motion carried.

- Dispense with reading of and approve July 15, 2014 minutes
- July 9 - 29, 2014 claims
- Resolution No. 2014-139 approving consumption of alcohol on city property for Luis Garcia, City Auditorium, July 18, 2015, birthday; Angie Gross, Christensen Field, June 13, 2015, wedding; Kathryn Niland, City Auditorium, November 22, 2014, wedding reception
- Resolution No. 2014-140 approving Special Designated Permit applications for Rise's Drive In Liquor, 1710 W 16th, September 6, 2014, reception; Rise's Drive In Liquor, 1710 W 16th, October 11, 2014, reception; Uncle Larry's LLC, 541 N Broad, August 16, 2014, dance/reception; RD's Place, 2215 North Broad, August 10, 2014 (alternate date August 17, 2014), beer garden; Whis's End Zone Lounge, 925 North Broad, August 16, 2014, reception; Whis's End Zone Lounge, 845 South Broad, August 29, 2014, other
- Fremont Firefighters Local 1015 request for roadway solicitation on August 30 & 31, 2014
- Appoint Michelle Wiese to the Citizen Advisory Review Committee (LB840) for a five year term ending February 2019
- Appoint Virginia Meyer to the Library Board for a four year term ending July 2018
- Reappoint Connie Schmeichel to the Library Board for a four year term ending July 2018

- Resolution No. 2014-141 approving Robert Steenblock request to replat Lot 1, Steenblock Subdivision into four lots
- Resolution No. 2014-142 approving Seth McGinn, McGinn Holdings, request to replat Lots 19 and 20, Pierce's Annex along with Tax Lot 8, 22-17-8 into one lot
- Resolution No. 2014-143 approving Douglas Ritthaler, Ritz Lake, LLC, request to replat Lots 31 - 38, Block 4, Ritz Lake Addition into seven lots
- Ron Vlach, Victory Lake Marine LLC, request to construct overwidth driveway at 1500 West Military Avenue
- Keith Rounph on behalf of Ken Gasken request to construct overwidth driveway at Lot 11, Cloverly Addition
- Cement worker license applications: Mark Boschult, Boschult Engineering Co. and Bob Porter Jr.
- Resolution No. 2014-144 approving Memorandum of Understanding amendment with Northeast Economic Development, Inc for Community Development Block Grant funds
- Resolution No. 2014-145 approving interlocal agreement amendment with Nebraska Department of Environmental Quality for Storm Water Management Plan program
- Resolution No. 2014-146 awarding bid in the amount of \$53,040 to Fremont Electric for Christensen Field LED lighting project
- Resignation of Gary Schmidt from the Citizens Advisory Review Committee (LB840)
- Resolution No. 2014-147 approving Douglas Ritthaler, Ritz Lake LLC, request for mixed-use agreement for Ritz Lake Addition

Moved by Council Member Stange, seconded by Council Member Kuhns to continue Resolution approving agreement with GIS Workshop for GIS services. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Johnson to approve the Preliminary Plat of Brooks Hollow for Tax Lots 1 and 3, Section 18, Township 17 North, Range 8 East of 6th P.M. Roll call vote: 7 ayes, 1 abstain (Bixby). Motion carried.

The City Clerk gave the second reading, by title only, as reconsidered and amended, of Ordinance 5310 amending various chapters of the Fremont Municipal Code. The third reading will be at the next regular Council meeting.

The City Clerk gave the second reading, by title only, of an Ordinance annexing part of NW ¼ 7-17-9 (Ritz Lake – Phase I) The third reading will be at the next regular Council meeting.

Ron Vlach, Victory Lake Marine, Incorporated request for conditional use permit to construct an oversized accessory building at 2450 West Military died for lack of a motion.

Moved by Council Member Hoppe, seconded by Council Member Anderson to introduce an Ordinance approving Robert Steenblock request to rezone Lot 1D of replat of Lot 1, Steenblock Subdivision from LI – Limited Industrial to R-2 Residential District. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance approving Robert Steenblock request to rezone Lot 1D of replat of Lot 1, Steenblock Subdivision from LI – Limited Industrial to R-2 Residential District. The second reading will be at the next regular Council meeting.

Moved by Council Member Stange, seconded by Council Member Navarrette to introduce an Ordinance creating Paving District 549 for Alley Paving project, 5th to 6th Street between Logan and Platte. Roll call vote: 7 ayes, 1 abstain (Bixby). Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance creating Paving District 549 for Alley Paving project, 5th to 6th Street between Logan and Platte. Moved by Council Member Johnson, seconded by Council Member Hoppe to suspend the rules and place on final reading. Roll call vote: 7 ayes, 1 abstain (Bixby). Motion carried.

The City Clerk gave the final reading, by title only, of an Ordinance creating Paving District 549 for Alley Paving project, 5th to 6th Street between Logan and Platte. Roll call vote: 7 ayes, 1 abstain (Bixby). Ordinance No. 5313 passed.

Moved by Council Member Bixby, seconded by Council Member Johnson to approve Resolution No. 2014-148 approving supplement agreement #3 for preliminary engineering services with HGM Associates to design Rawhide Creek Trail project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Anderson to receive and file a petition as presented by Dave Fink against establishing Downtown Business Improvement District. Roll call vote: 6 ayes, 2 abstain (Bixby and Navarrette). Motion carried.

Moved by Council Member Johnson, seconded by Council Member Kuhns to continue indefinitely the Resolution of Intent to establish the Downtown Business Improvement District. Roll call vote: 6 ayes, 2 abstain (Bixby and Navarrette). Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Anderson to approve Resolution No. 2014-149 granting permission for request proposals for animal control services. Roll call vote: 7 ayes, 1 abstain (Stange). Motion carried.

The Mayor announced the next meeting would be August 12, 2014 at 7:00 p.m.

Moved by Council Member Bixby, seconded by Council Member Kuhns to adjourn the meeting. Roll call vote: 8 ayes. Motion carried. Meeting adjourned at 8:26 p.m.

I, Kimberly Volk, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kimberly Volk, MMC, City Clerk